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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/716,172

Applicant(s)

CANTU ET AL.

Examiner

MIRANDA LE

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendments filed on 10/11/07, 01/15/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 and 29-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25, 29-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to Amendment, filed 10/11/07 and 01/15/08.

Claims 1-26, 29-33 are pending in this application. In the Amendment, claims 27-28 were previously cancelled, claims 31-33 have been added. This action is made Final.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless:

(e) the invention was described in

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-4, 6, 8, 11-17, 19, 24, 25, 29, 31-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Bobo, II et al. (US Patent No. 6,564,321).

Bobo anticipated independent claims 1, 14 by the following:

As to claims 1, 14, Bobo teaches a method/system for organizing related communication messages comprising:

receiving a first *(i.e. the facsimile message is received, the message is in a Tagged Image File Format/Facsimile (TIFF/F) and each page of the facsimile message is split into a separate file. Each page of the facsimile message is then converted from the TIFF/F format into a*

Portable Pixel Map (PPM) format. The PPM files are next converted into separate Graphic Interchange Format (GIF) files and then into separate HTML files. Thus, each page of the facsimile message is converted into a separate HTML file. The TIFF/F files may be converted into PPM with an available software package entitled "LIBTIFF" and the PPM files may be converted into GIF files with an available software package found in "Portable Pixel Map Tools.", col. 12, lines 11-23) extensible markup language (XML) (i.e. Extensible Mark-Up Language (XML) is an abbreviated version of SGML, col. 21, lines 20-32) based communication message form a first communication device associated with a first user (i.e. The invention has been described as converting the messages into HTML and transmitting the HTML files over the Internet 30 to the computer 32. The HTML format, however, is only the currently preferred format for exchanging information on the Internet 30 and is actually only one type of a Standard Generalized Mark-Up Language. The invention is therefore not limited to the HTML format but may be practiced with any type of mixed media page layout language that can be used to exchange information on the Internet 30, col. 20, line 61 to col. 21, line 3);

using a received XML tag (i.e. <HTML> <HEAD> <TITLE>Fax Received on May 31, 1995 at 1:58 PM from (404) 249 6801, col. 13, lines 14-60) from the first XML-based message to identify a second XML-based communication message (i.e. <HTML> <HEAD> <TITLE>Fax Received on May 31, 1995 at 1:58 PM from (404) 249 6801, col. 13, lines 14-60) stored in one of a first database or second database (i.e. to receive messages of various types, col. 5, lines 26-26), the second XML-based communication message (i.e. A listing of the facsimile messages may be sent to the user in one of several formats. These formats include a textual only listing or a listing along with a full or reduced size image of the first page of each message. A

full or reduced size image of each page of a message in the listing may alternatively be presented to the user, col. 6, lines 1-12) giving been previously received from the first user (i.e. previous message, col. 10, lines 18-29), the first XML-based communication message being of a different communication medium than the second (i.e. facsimile machine 24, col. 7, lines 57-65) XML-based communication message (i.e. It is still a further object of the invention to record and track correspondence, such as facsimile messages, voice mail messages, and data transfers, col. 5, lines 32-34);

converting the first XML-based communication message into a converted message having a format associated with the one of the first or second database that stores the second XML-based communication message (i.e. *The process for converting a facsimile message into HTML files according to the fifth option will be described with reference to FIG. 6. This process will occur at step 54 when the message is received and when the fifth option is the user's preferred option of displaying the messages. It should be understood that a similar type of process will also occur when the user requests a page of information according to the fifth option when the user is retrieving a facsimile message and the fifth option is not the user's preferred option. The conversion processes according to the other options will become apparent to those skilled in the art and will therefore not be discussed in further detail, col. 11, line 66 to col. 12, line 10); and*

causing the converted message (i.e. *The messages are converted into a standard generalized mark-up language and the user is notified that a message has arrived through E-mail or through a paging system, col. 6, lines 1-12) to be stored in association with the second XML-based communication message in the one of the first (i.e. At step 174, the listing of all of*

the voice messages is then updated to include a listing of the newly received voice message and an anchor to the voice message. For instance, the original voice message may be stored with filename "1.vox" and is converted into WAV and stored with a filename "1.wav." The HTML file "voicelist.html" which contains a list of all voice messages would then have an anchor to the filename "1.wav" along with identifying information for the voice message, such as when the message was received, col. 14, lines 14-22) or second database that stored the second XML-based communication message (i.e. Preferably, the network storage and delivery system can receive facsimile messages, data messages, or voice messages and the network is the Internet. The messages are converted into a standard generalized mark-up language and the user is notified that a message has arrived through E-mail or through a paging system. A listing of the facsimile messages may be sent to the user in one of several formats. These formats include a textual only listing or a listing along with a full or reduced size image of the first page of each message. A full or reduced size image of each page of a message in the listing may alternatively be presented to the user, col. 6, lines 1-12).

As to claims 2, 15, Bobo teaches the first XML-based communication message and the second XML-based communication message are substantially related to a same topic (*i.e. Preferably, the network storage and delivery system can receive facsimile messages, data messages, or voice messages and the network is the Internet. The messages are converted into a standard generalized mark-up language and the user is notified that a message has arrived through E-mail or through a paging system. A listing of the facsimile messages may be sent to the user in one of several formats. These formats include a textual only listing or a listing along*

with a full or reduced size image of the first page of each message. A full or reduced size image of each page of a message in the listing may alternatively be presented to the user, col. 6, lines 1-12).

As to claims 3, 16, Bobo teaches enabling a telecommunications service that organizes related communication in one or more databases (*i.e. storage 11, Fig. 13*).

As to claims 4, 17, Bobo teaches:

converting a third XML-based communication message (*i.e. voice messages*) into a same format as the converted message when the third XML-based communication message has one or more XML tags that match the XML tags of the first XML-based communication message (*i.e. Preferably, the network storage and delivery system can receive facsimile messages, data messages, or voice messages and the network is the Internet. The messages are converted into a standard generalized mark-up language and the user is notified that a message has arrived through E-mail or through a paging system. A listing of the facsimile messages may be sent to the user in one of several formats. These formats include a textual only listing or a listing along with a full or reduced size image of the first page of each message. A full or reduced size image of each page of a message in the listing may alternatively be presented to the user, col. 6, lines 1-12*); and

forwarding the convert third XML-based communication message to a database associated with the converted message (*i.e. At step 174, the listing of all of the voice messages is then updated to include a listing of the newly received voice message and an anchor to the voice*

message. For instance, the original voice message may be stored with filename "1.vox" and is converted into WAV and stored with a filename "1.wav." The HTML file "voicelist.html" which contains a list of all voice messages would then have an anchor to the filename "1.wav" along with identifying information for the voice message, such as when the message was received, col. 14, lines 14-22).

As to claims 6, 19, Bobo teaches:

selecting an initial database when the second XML-based communication message is not identified (i.e. The files may be identified with any suitable filename. In the preferred embodiment, the files for each user are stored in a separate directory assigned to just that one user because an entire directory for a given user generally can be protected easier than the individual files, col. 12, lines 32-55; The owner's menu may be responsive to an additional number of DTMF digits and may be structured in other ways. For instance, separate DTMF digits may direct the owner to the respective types of messages, such as a facsimile message, data message, or voice message. Also, separate DTMF digits may direct the owner to a recording of new messages or to a recording of saved messages. Other variations will be apparent to those skilled in the art, col. 16, lines 34-41);

converting the first XML-based communication message into a format corresponding to the selected, initial database (i.e. The memory, however, may be organized in other ways with the files for a single user being stored in different directories. The first part of the filename is a number preferably sequentially determined according to the order in which messages arrive for that user. The preferred naming convention for ending the filenames is depicted in FIG. 6. Each

page of the facsimile message is saved as a separate file with an extension defined by the format of the file. Thus, the files will end with an extension of ".TIFF," ".PPM," ".GIF," or ".HTML" according to the format of the particular file, col. 12, lines 32-55); and

forwarding the converted first XML-based communication message to the selected initial database (i.e. At step 174, the listing of all of the voice messages is then updated to include a listing of the newly received voice message and an anchor to the voice message. For instance, the original voice message may be stored with filename "1.vox" and is converted into WAV and stored with a filename "1.wav." The HTML file "voicelist.html" which contains a list of all voice messages would then have an anchor to the filename "1.wav" along with identifying information for the voice message, such as when the message was received, col. 14, lines 14-22).

As per claim 8, Bobo teaches the first communication device is at least one of a voicemail server, a facsimile server, an email server, or a web server (*i.e. With reference to FIG. 2 depicting an overall operation of the invention, a telephone call directed to a number serviced by the MSDS 10 is initiated at step 40 by a third party, for instance, through the facsimile machine 24, telephone set 26, or computer 28. The incoming telephone call may therefore carry a facsimile message, a voice message, or a data message. At step 42, the address signal associated with the initiated call is routed through the central office 20, over the DID trunk 15, and to the MSDS 10, col. 7, lines 57-65).*

As to claims 11, 24, Bobo teaches:

forwarding a confirmation message to at least one of a customer agent or a customer (i.e. *With reference to FIG. 2 depicting an overall operation of the invention, a telephone call directed to a number serviced by the MSDS 10 is initiated at step 40 by a third party, for instance, through the facsimile machine 24, telephone set 26, or computer 28. The incoming telephone call may therefore carry a facsimile message, a voice message, or a data message. At step 42, the address signal associated with the initiated call is routed through the central office 20, over the DID trunk 15, and to the MSDS 10, col. 7, lines 57-65).*

As to claims 12, 25, Bobo teaches:

forwarding at least one of a voicemail message, a facsimile message, an email message, or an Internet (i.e. *With reference to FIG. 2 depicting an overall operation of the invention, a telephone call directed to a number serviced by the MSDS 10 is initiated at step 40 by a third party, for instance, through the facsimile machine 24, telephone set 26, or computer 28. The incoming telephone call may therefore carry a facsimile message, a voice message, or a data message. At step 42, the address signal associated with the initiated call is routed through the central office 20, over the DID trunk 15, and to the MSDS 10, col. 7, lines 57-65).*

As per claim 13, Bobo teaches the first XML-based communication message is received from a customer agent (i.e. *With reference to FIG. 2 depicting an overall operation of the invention, a telephone call directed to a number serviced by the MSDS 10 is initiated at step 40 by a third party, for instance, through the facsimile machine 24, telephone set 26, or computer 28. The incoming telephone call may therefore carry a facsimile message, a voice message, or a*

data message. At step 42, the address signal associated with the initiated call is routed through the central office 20, over the DID trunk 15, and to the MSDS 10, col. 7, lines 57-65).

As per claim 29, Bobo teaches using the received XML tag from the first XML-based message to identify the second XML-based communication message comprises:

extracting a first portion of data stored in the first XML-based communication message (*i.e. The full size image of the cover page is generated by first extracting the cover page from the facsimile file at step 116. Next, the cover page is converted into a full size HTML image at step 118 and, at step 120, the listing is generated with the embedded cover page linked to the facsimile file, col. 10, lines 58-65;*

retrieving a second portion of data associated with the second XML-based communication message (*i.e. The full size image of the cover page is generated by first extracting the cover page from the facsimile file at step 116. Next, the cover page is converted into a full size HTML image at step 118 and, at step 120, the listing is generated with the embedded cover page linked to the facsimile file, col. 10, lines 58-65;* and

determining if the first portion and the second portion match (*i.e. The full size image of the cover page is generated by first extracting the cover page from the facsimile file at step 116. Next, the cover page is converted into a full size HTML image at step 118 and, at step 120, the listing is generated with the embedded cover page linked to the facsimile file, col. 10, lines 58-65).*

As per claim 31, Bobo teaches the first XML-based communication message (*i.e.* Extensible Mark-Up Language (XML) is an abbreviated version of SGML, col. 21, lines 20-32) comprises one of a voicemail message, a facsimile message, an email message, or an Internet message, and the second XML-based communication message comprises a different one a voicemail message, a facsimile message, an email message, or an Internet message (*i.e.* The invention has been described as converting the messages into HTML and transmitting the HTML files over the Internet 30 to the computer 32. The HTML format, however, is only the currently preferred format for exchanging information on the Internet 30 and is actually only one type of a Standard Generalized Mark-Up Language. The invention is therefore not limited to the HTML format but may be practiced with any type of mixed media page layout language that can be used to exchange information on the Internet 30, col. 20, line 61 to col. 21, line 31).

As per claim 32, Bobo teaches the second XML-based communication message is from a second communication device associated with the first user, the first and second communication device being different types (*i.e.* It is still a further object of the invention to record and track correspondence, such as facsimile messages, voice mail messages, and data transfers, col. 5, lines 32-34).

As per claim 33, Bobo teaches:

retrieving the first XML-based communication and the second XML-based communication message from the one of the first or second database that stored the second

XML-based message (i.e. The process for converting a facsimile message into HTML files according to the fifth option will be described with reference to FIG. 6. This process will occur at step 54 when the message is received and when the fifth option is the user's preferred option of displaying the messages. It should be understood that a similar type of process will also occur when the user requests a page of information according to the fifth option when the user is retrieving a facsimile message and the fifth option is not the user's preferred option. The conversion processes according to the other options will become apparent to those skilled in the art and will therefore not be discussed in further detail, col. 11, line 66 to col. 12, line 10); and

sending the first XML-based communication message and the second XML-based communication message to a second communication device associated with a service provider (i.e. It is still a further object of the invention to record and track correspondence, such as facsimile messages, voice mail messages, and data transfers, col. 5, lines 32-34).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any

evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo, II (US Patent No. 6,564,321), in view of Schwartz et al. (US Patent No. 7,003,284).

As per claim 30, Bobo does not specifically teach using the received XML tag from the first XML-based message to identify the second XML-based communication message is performed before converting the first XML-based communication message and before causing the converted message to be stored in the one of the first or the second database.

Schwartz teaches teach using the received XML tag from the first XML-based message to identify the second XML-based communication message is performed before converting the first XML-based communication message and before causing the converted message to be stored in the one of the first or the second database (*i.e. an HDML file received is first analyzed by message digester 316 and then converted through converter 318 into a set of screen commands that cause a mobile device, upon receiving the screen commands, to display the contents in the HDML file according to the screen commands, col. 7, line 49 to col. 8, line 19*).

It would have been obvious to one of ordinary skill of the art having the teaching of Bobo and Schwartz at the time the invention was made to modify the system of Bobo to include the limitations as taught by Schwartz. One of ordinary skill in the art would be motivated to make this combination in order to display the contents in the HDML file according to the screen commands in view of Schwartz (col. 7, line 49 to col. 8, line 19), as doing so would give the

added benefit of converting the message in the link system to a more compact format to facilitate transmission of the message over the wireless network as taught by Schwartz (Summary).

6. Claims 5, 7, 10, 18, 20, 22, 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo, II (US Patent No. 6,564,321), in view of Jacobs et al. (US Patent No. 6,611,843).

As to claims 5, 18, Bobo does not specifically teach the first XML-based message comprises a Document Type Definition.

Jacobs teaches the first XML-based message comprises a Document Type Definition (*i.e.* *A document type definition (DTD) is augmented for allowing description of the DAG in an XML information set 18 and for providing functionality for a document object model access application 14 interface (DOM API) to process the XML information set 18, col. 4, lines 49-67*).

It would have been obvious to one of ordinary skill of the art having the teaching of Bobo and Jacobs at the time the invention was made to modify the system of Bobo to include the limitations as taught by Jacobs. One of ordinary skill in the art would be motivated to make this combination in order to extract data values from the content elements by using the description of the first XML ELEMENT to recursively traverse each top-level element and extract the data values from the sub-tree (*col. 2, lines 26-45*) in view of Jacobs, as doing so would give the added benefit of automatically generating that may be used with different client data and with different vendor SQL databases as taught by Jacobs (*col. 2, lines 26-45*).

As to claims 7, 20, Bobo does not specifically teach forwarding the first XML-based communication message to the first communication device when the first XML-based communication message comprises a Document Type Definition.

Jacobs teaches forwarding the first XML-based communication message to the first communication device when the first XML-based communication message comprises a Document Type Definition (*i.e. A document type definition (DTD) is augmented for allowing description of the DAG in an XML information set 18 and for providing functionality for a document object model access application 14 interface (DOM API) to process the XML information set 18, col. 4, lines 49-67*).

It would have been obvious to one of ordinary skill of the art having the teaching of Bobo and Jacobs at the time the invention was made to modify the system of Bobo to include the limitations as taught by Jacobs. One of ordinary skill in the art would be motivated to make this combination in order to extract data values from the content elements by using the description of the first XML ELEMENT to recursively traverse each top-level element and extract the data values from the sub-tree (*col. 2, lines 26-45*) in view of Jacobs, as doing so would give the added benefit of automatically generating SQL that may be used with different client data and with different vendor SQL databases as taught by Jacobs (*col. 2, lines 26-45*).

As to claims 10, 22, Bobo does not specifically teach forwarding a responsive XML-based message comprising a Document Type Definition to a mediation web server.

Jacobs teaches forwarding a responsive XML-based message comprising a Document Type Definition to a mediation web server (*i.e. A document type definition (DTD) is augmented*

for allowing description of the DAG in an XML information set 18 and for providing functionality for a document object model access application 14 interface (DOM API) to process the XML information set 18, col. 4, lines 49-67).

It would have been obvious to one of ordinary skill of the art having the teaching of Bobo and Jacobs at the time the invention was made to modify the system of Bobo to include the limitations as taught by Jacobs. One of ordinary skill in the art would be motivated to make this combination in order to extract data values from the content elements by using the description of the first XML ELEMENT to recursively traverse each top-level element and extract the data values from the sub-tree (*col. 2, lines 26-45*) in view of Jacobs, as doing so would give the added benefit of automatically generating SQL that may be used with different client data and with different vendor SQL databases as taught by Jacobs (*col. 2, lines 26-45*).

As per claim 23, Bobo teaches the communication control device is at least one of a voicemail server, a facsimile server, an email server, or a web server (*i.e. With reference to FIG. 2 depicting an overall operation of the invention, a telephone call directed to a number serviced by the MSDS 10 is initiated at step 40 by a third party, for instance, through the facsimile machine 24, telephone set 26, or computer 28. The incoming telephone call may therefore carry a facsimile message, a voice message, or a data message. At step 42, the address signal associated with the initiated call is routed through the central office 20, over the DID trunk 15, and to the MSDS 10, col. 7, lines 57-65*).

7. Claims 9, 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bobo, II et al. (US Patent No. 6,564,321), in view of Nelson et al. (US Patent No. 6,601,065).

As to claims 9, 21, Bobo does not specifically teach the format of the one of the first or second databases that stores the second XML-based communication message comprises at least one of Oracle, Sybase, MySQL, MsQL, or DB2.

Nelson teaches this limitation (*i.e. FIG. 1 shows three databases 31-33, the present invention is compatible with a system which includes only one database, or a system which includes a large number of databases. Further, even though FIG. 1 shows two databases that are specific to the LDAP and SQL protocols, the databases in the system could each conform to some other respective protocol, col. 2, lines 47-65*).

It would have been obvious to one of ordinary skill of the art having the teaching of Bobo and Nelson at the time the invention was made to modify the system of Bobo to include the limitations as taught by Nelson. One of ordinary skill in the art would be motivated to make this combination in order to convert the request from the first format to a second format compatible with a protocol of the repository (Summary) in view of Nelson, as doing so would give the added benefit of enabling a client to access to a repository through a network, where the client uses a protocol different from a protocol specific to the repository as taught by Nelson (Summary).

Response to Arguments

8. With respect to claims 1-25, 29-33, Applicants have amended the independent claims 1, 14 to distinguish over the Nelson reference; however, upon further search and consideration, a new ground(s) of rejection is made in view of newly found prior art.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John R. Cottingham, can be reached on (571) 272-7079. The fax number to this Art Unit is (571)-273-8300.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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